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Respectfully Submitted,

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1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

2 Serial No.10/803,068
3 Filing Date 3/16/2004
4 Confirmation No. 5179
5 Inventorship Albert S. Wang
6 Applicant Microsoft Corporation
7 Group Art Unit 2613
8 Examiner NHON THANH DIEP
9 Attorney's Docket No. MS1-0801USC6
10 Title: Digital Video Signal Encoder and Encoding Method

11 **TERMINAL DISCLAIMER**

12 To: Commissioner for Patents
13 P.O. Box 1450
14 Alexandria, VA 22313-1450

15 From: Paul W. Mitchell
16 (Tel. 509-324-9256; Fax 509-323-8979)
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18 421 W. Riverside Avenue, Suite 500
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20 Customer Number 22801

21 Applicant submits herewith a terminal disclaimer to obviate the
22 non-statutory double patenting rejection over U.S. Patent No. 6,707,852 to Wang,
23 assignee Microsoft Corporation.

24 The assignee, Microsoft Corporation, having one-hundred percent (100%)
25 interest in the instant application, hereby disclaims, except as provided below, the
 terminal part of the statutory term of any patent granted on the instant application,
 which would extend beyond the expiration date of the full statutory term defined
 in 35 U.S.C. 154-156 and 173, as presently shortened by any terminal disclaimer,
 of prior U.S. Patent No. 6,707,852. The assignee hereby agrees that any patent so
 granted on the instant application shall be enforceable only for and during such

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1 period that it and the prior patent are commonly owned. This assignment runs with
2 any patent granted on the instant application and is binding upon the grantee, its
3 successors or assigns.

4 In making the above disclaimer, the owner does not disclaim the terminal part
5 of any patent granted on the instant application that would extend to the expiration
6 date of the full statutory term as defined in 35 U.S.C. 154-156 and 173 of the prior
7 patent, as presently shortened by any terminal disclaimer, in the event that it later
8 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid
9 by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally
10 disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination
11 certificate, is reissued, or is in any manner terminated prior to the expiration of its
12 full statutory term as presently shortened by any terminal disclaimer.

13 The undersigned is an attorney of record and the terminal disclaimer fee
14 under 37 C.F.R. 1.20(d) is included.

15
16 Respectfully Submitted,

17
18 Dated: 1/20/06

By: 

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